

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Feb 09, 2021**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

BASIN DISPOSAL INC, a  
Washington Corporation, et al.,

Plaintiffs,

v.

3M COMPANY et al.,

Defendants.

No. 4:15-cv-05078-SMJ

**ORDER GRANTING  
STIPULATED MOTION TO  
DISMISS REMAINING CLAIMS  
AND ORDER OF DISMISSAL**

Before the Court, without oral argument, is the Stipulated Motion to Dismiss Remaining Claims, and Order of Dismissal, ECF No. 561, filed by the Remaining Parties to this case. Pursuant to Fed. R. Civ. P. 41(a)(2), the Remaining Parties move for an appropriate Court Order dismissing with prejudice all remaining claims and parties in this case.

The Remaining Parties consist of Defendants 3M Company; Akzo Nobel Canada, Inc. (n/k/a PPG Architectural Coatings Canada, Inc.); The Boeing Company; Blount, Inc.; Crown Beverage Packaging, LLC; Daimler Trucks North America LLC; Georgia-Pacific LLC; Goodrich Corporation; Intalco Aluminum Corporation; PACCAR Inc.; PCC Structurals, Inc.; Pharmacia LLC; Simpson

1 Timber Company; Union Oil Company of California; and Weyerhaeuser NR  
2 Company (collectively, “IWAG III Defendants”) and Defendants AgReserves, Inc.  
3 (“AgReserves”), ALCOA Inc. (“ALCOA”), Bayer CropScience, Inc. (“BCS”), Carr  
4 Aviation I, LLC (“Carr Aviation”), E.I. du Pont de Nemours & Company  
5 (“DuPont”), Farmland Reserve, Inc. (“Farmland Reserve”), Piute Energy &  
6 Transportation Company (“Piute”), PPG Architectural Finishes, Inc. (“PPG  
7 Architectural Finishes”), PPG Industries, Inc. (“PPG Industries”), PureGro  
8 Company (“PureGro”), Roto-Rooter Corporation (“Roto-Rooter”), Sandvik Special  
9 Metals LLC (“Sandvik”), Southwest Suburban Sewer District (“SWSSD”), and  
10 Zep, Inc. (“Zep”), ECF No. 561. The Remaining Parties ask the Court to enter an  
11 appropriate Order dismissing with prejudice any and all remaining claims in this  
12 case, whether they are listed in the Stipulated Motion or may have been  
13 inadvertently omitted from the Stipulated Motion, and that further dismisses with  
14 prejudice all remaining named defendants in this case. The Court finds good cause  
15 exists to grant the Remaining Parties’ stipulated motion.

16 Accordingly, **IT IS HEREBY ORDERED:**

17 **1.** The Remaining Parties’ Unopposed Stipulated Motion to Dismiss  
18 Remaining Claims, and Order of Dismissal, **ECF No. 561**, is  
19 **GRANTED.**

20 **2.** The following remaining claims are **DISMISSED WITH**

**PREJUDICE:**

- A.** CERCLA and MTCA crossclaims by and between the IWAG III Defendants and AgReserves, Carr Aviation, DuPont, Farmland Reserve, PPG Industries, Sandvik, SWSSD and Zep;
- B.** BCS's conditional CERCLA and MTCA crossclaims against all named defendants;
- C.** Piute's indemnification crossclaims against certain IWAG III defendants;
- D.** PPG Architectural Finishes' conditional CERCLA and MTCA crossclaims against all named defendants;
- E.** DuPont's conditional CERCLA and MTCA crossclaims against all named defendants;
- F.** PureGro's conditional CERCLA and MTCA crossclaims against all named defendants;
- G.** Zep's CERCLA and MTCA crossclaims against all named defendants; and
- H.** Sandvik's counterclaims against BCS, PPG Architectural Finishes, DuPont, PureGro, and Zep.
- 3.** Any and all claims by and against the Remaining Parties filed in this action that have not been previously dismissed by this Court or that

1 may have been inadvertently omitted from the Stipulated Motion  
2 likewise are **DISMISSED WITH PREJUDICE**.

3 **4.** The following named defendants in this case are dismissed from this  
4 case with prejudice: Advanced Electroplating, Inc.; AgReserves;  
5 ALCOA; BCS; Carr Aviation; Chemed Corporation; Collier Carbon  
6 and Chemical Corporation; Columbia Processors Co-op; D.G. Shelter  
7 Products Company; DiGiorgio Corporation; DuPont; Farmland  
8 Reserve; Freightliner Corporation; Fuller-O'Brien Corporation;  
9 Harbor Distributing Company; Harbor Oil, Inc.; Hearing Products,  
10 Inc.; Huico, Inc.; James River Corporation; Kalama Chemical  
11 Company; Liquid Waste Disposal, Inc.; Monsanto Company;  
12 Northwest VIP Corporation; Piute; PPG Architectural Finishes; PPG  
13 Industries; Precision Castparts Corporation; PureGro; Roto-Rooter;  
14 Sandvik, SWSSD; Wood Treatment Chemical Company; and Zep.

15 **5.** All hearings and other deadlines are **STRICKEN**.

16 //

17 //

18 //

19 //

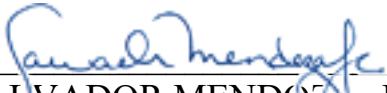
20 //

1           **6.**     The Clerk's Office is directed to **CLOSE** this file.

2           **A.**     The Court shall retain continuing jurisdiction over the  
3                   IWAG/Federal Parties Consent Decree, ECF No. 544, and the  
4                   IWAG/LFG Consent Decree, ECF No. 560.

5           **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and  
6 provide copies to all counsel.

7           **DATED** this 9<sup>th</sup> day of February 2021.

8                     
9                   \_\_\_\_\_  
10                  SALVADOR MENDONÇA, JR.  
11                  United States District Judge  
12  
13  
14  
15  
16  
17  
18  
19  
20